



9111-14

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

AGENCY INFORMATION COLLECTION ACTIVITIES:

NAFTA Regulations and Certificate of Origin

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security

ACTION: 30-Day Notice and request for comments; Extension of an existing collection of information: 1651-0098.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: NAFTA Regulations and Certificate of Origin. This is a proposed revision and extension of an information collection that was previously approved.

CBP is proposing that this information collection be revised with a change to the burden hours. This document is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** (77 FR 76983) on December 9, 2011, allowing for a 60-day comment period.

This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10.

DATES: Written comments should be received on or before [Insert date 30 days from the date this notice is published in the **Federal Register**].

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and

Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to oir_submission@omb.eop.gov or faxed to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9th Street, NW, 5th Floor, Washington, DC. 20229-1177, at 202-325-0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

Title: NAFTA Regulations and Certificate of Origin

OMB Number: 1651-0098

Form Number: CBP Forms 434, 446, and 447

Abstract: On December 17, 1992, the U.S., Mexico and Canada entered into an agreement, "The North American Free Trade Agreement" (NAFTA). The provisions of NAFTA were adopted by the U.S. with the enactment of the North American Free Trade Agreement Implementation Act of 1993 (PL. 103-182).

CBP Form 434, *North American Free Trade Certificate of Origin*, is used to certify that a good being exported either from the United States into Canada or Mexico or from Canada or Mexico into the United States qualifies as an originating good for purposes of preferential tariff treatment under the NAFTA. This form is completed by exporters and/or producers and furnished to CBP upon request. CBP Form 434 is provided for by 19 CFR 181.11 and is accessible at: http://forms.cbp.gov/pdf/CBP_Form_434.pdf.

The CBP Form 446, *NAFTA Verification of Origin Questionnaire*, is a questionnaire that CBP personnel use to gather sufficient information from exporters and/or producers to determine whether goods imported into the United States qualify as originating goods for the purposes of preferential tariff treatment under NAFTA. CBP Form 446 is provided for by 19 CFR 181.72 and is accessible at: http://forms.cbp.gov/pdf/CBP_Form_446.pdf

CBP is also seeking approval of Form 447, *North American Free Trade Agreement Motor Vehicle Averaging Election*, in order to gather information required by 19 CFR 181 Appendix, Section 11, (2) "Information Required When Producer Chooses to Average for Motor Vehicles". This form is provided to CBP when a manufacturer chooses to average motor vehicles for the purpose of obtaining NAFTA preference.

Current Actions: This submission is being made to extend the expiration date for CBP Forms 434 and 446, and to add Form 447.

Type of Review: Revision

Affected Public: Businesses

Form 434, NAFTA Certificate of Origin:

Estimated Number of Respondents: 40,000

Estimated Number of Responses per Respondent: 3

Estimated Time per Response: 15 minutes

Estimated Total Annual Burden Hours: 30,000

Form 446, NAFTA Questionnaire:

Estimated Number of Respondents: 400

Estimated Number of Responses per Respondent: 1

Estimated Time per Response: 45 minutes

Estimated Total Annual Burden Hours: 300

Form 447, NAFTA Motor Vehicle Averaging Election:

Estimated Number of Respondents: 11

Estimated Number of Responses per Respondent: 1.28

Estimated Time per Response: 1 hour

Estimated Total Annual Burden Hours: 14

Dated: February 13, 2012

Tracey Denning

Agency Clearance Officer

U.S. Customs and Border Protection

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